

YAO-V04302

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshinao Taketomi et al. : Art Unit: 2872
Serial No.: 09/381,528 : Examiner: A. Chang
Filed: January 4, 2000 : Expedited Procedure
For: OPTICAL DISPLAY : 37 C.F.R. § 1.116
APPARATUS

#15
Response
J. McInnis
7/18/01

RESPONSE

FAX COPY RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

JUL 16 2001

TECHNOLOGY CENTER 2800

S I R :

This is a partial response to the Office Action issued July 12, 2001
against the above-identified patent application.

REMARKS

As indicated in the telephone conversation with the Examiner on July 12, 2001, Applicants respectfully submit that the Examiner was not justified in making the Office Action dated July 6, 2001 a final rejection. The rejections under 35 U.S.C. 112 were not necessitated by Applicants' amendment of claim 4 in the Amendment dated April 13, 2001.

The "rejections to the claims under 35 U.S.C. 112, second paragraph, set forth in the previous Office Action are withdrawn" (Paragraph 4 of the Office Action of July 6, 2001). The new rejections under 35 U.S.C. 112 are based on the amendment of claim 4 in the Amendment dated April 13, 2001 by which claim 4, originally a claim dependent on claim 1, was amended to make claim 4 an independent claim by incorporating the limitations of claim 1 into claim 4. In Paragraph 5 of the July 6, 2001 Office Action, the Examiner states that this amendment of claim 4, by which claim 4 was rewritten in independent form, introduced new matter into the disclosure. Quoting from Paragraph 5 of the July

- CONFIDENTIAL -
IF RECEIVED BY A PARTY OTHER THAN THE NAMED ADDRESSEE,
SEE THE CONFIDENTIALITY NOTICE BELOW

RATNER & PRESTIA

Suite 301, One Westlakes, Berwyn
P.O. Box 980

Valley Forge, Pennsylvania 19482-0980
Telephone 610-407-0700 • Fax 610-407-0701

www.ratnerprestia.com

Valley Forge, PA • Allentown, PA • Wilmington, DE

FAX COPY RECEIVED

JUL 16 2001

TECHNOLOGY CENTER 2800

T2

FACSIMILE COVER SHEET

DATE: July 16, 2001

OUR REF.: YAO-V04302

TIME: _____

YOUR REF.: 09/381,528

FROM:	Andrew L. Ney
TO:	Examiner Audrey Y. Chang
COMPANY:	United States Patent and Trademark Office
FAX TELEPHONE:	1-703-308-7722
OFFICE TELEPHONE:	1-703-305-6208
TITLE OF DOCUMENT:	Response

Total Number of Pages: 5 (including this form)

COMMENTS

Please deliver to Examiner Chang as soon as possible.

CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION

This facsimile transmission (and/or documents accompanying it) may contain attorney/client privileged communications and confidential business information that is intended for use only by the individual or company to whom it is addressed. Disclosure, interception, copying or any other use of this transmission by anyone other than any intended recipient is prohibited. If you receive this transmission by mistake, please notify the sender.

Please notify us immediately if you have not received the number of pages indicated above.